1948.

K

File No. Civil Court II
48

Legal DEPARTMENT

B BRANCH

Subject:— Rules and Notifications under the Bombay Civil Court Act, 1869.

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S- Cs.
N.V.V.
23/5.

1. 2.

Office of the R.L.A.

The Remembrancer of Legal Affairs has been requested in paragraph 5 of H.D. note dated 11/2/1948 to scrutinise the draft notifications forwarded by the District Judges dislinking all the linked Courts which exist at present in their respective districts. But no drafts of suchxx notifications have been forwarded to the Remembrancer of Legal Affairs. The Home Department is therefore requested to forwarded to this office -

(1) two copies of the draft notifications forwarded by the District Judge dislinking the linked courts;

(2) the main notifications by which the linked Courts were established under section 23 of the Bombay Civil Courts Act, 1869; and

(3) the notification,if any, referred to by the District Judge in the draft prepared by him.

Sd/-

for Remembrancer of Legal Affairs.

D.H. to H.D. No.1999 dated the 28th February,194

L-Co.
M.V.V.
23/3.

Legal Department.

A revised draft notification in place of the one at page 51 of the corresponding section is sent herewith.

Sd/-
26/5.

Additional Secretary to Government.

U.R. to H.D. No.5009, dated the 26th May 1948.

4-Cs.
M.V.V.
23/5.

Home Department.
Bombay Castle, 1948.

Bombay Civil Courts Act, 1869.

No. In exercise of the powers conferred by section 22A of the Bombay Civil Courts Act, 1869 (Bom. XIV of 1869), the Government of Bombay is pleased to direct that the village of the Thasra Taluka in the Kaira District specified in the Schedule hereto annexed, at present included in the local limits of the ordinary jurisdiction of the Civil Judge (Junior Division), Kapadwanj, shall, therefrom and with effect from..... ..... be excluded/~~thereform~~ be included in the local limits of the ordinary jurisdiction of the Civil Judge (Junior Division), Umreth.

SCHEDULE.

(Here insert A - A on page 83).

By order of the Governor of Bombay,

Secretary to Government.

A-Ca.
M.V.V.
23/5.

Legal Department.

The view taken by the District Judge, Sholapur, at page 31 ante is correct. Under section 23 of the Bombay Civil Courts Act, 1869, it is the function of the Provincial Government to appoint places at which Civil Judges have to hold their Courts. After such notification appointing places at which the Civil Judges are to hold their courts has been published, the District Judges, subject to the control of the High Court can direct where the principal Civil Judge and Joint Civil should sit. It is not necessary to include that order in the notification to be issued by the Provincial Govt. A notification as in the appended draft may first issue for all places and District Judges should then be asked to take action as provided in paragraphs 3 and 5 of section 23 of the Bombay Civil Courts Act. It appears that some of the District Judges desire to take this opportunity to alter the local limits of the Courts of Civil Judges. Separate notifications should issue for the purpose.

Sd/-
28/5.

Additional Secretary to Government

U.R. to H.D. No.5065, dated the 28th May 1948.

4-Cs.

M.V.V.
25/5.

Notification.

Home Department,

Bombay Castle, May 1948.

Bombay Civil Courts Act, 1869.

No. . - In exercise of the powers conferred by section 23 of the Bombay Civil Courts Act, 1869 (XIV of 1869), and in modification of the previous notification on the subject, the Government of Bombay is pleased to appoint *

* places to be inserted.

and as the places at which the Civil Judge (Junior Division)

† to be inserted.

shall hold his Court.

By order of the Governor of Bombay,

Secretary to Government.

4-Ca.

M.V.V.
25/5.

Legal Department.

A revised draft notification is sent herewith.

Sd/-
30/7.

Additional Secretary to Government.

U.R. to H.D. 7197 dated the 30th July 1948.

L-Cs.

P.V.V.
25/5.

NOTIFICATION.

Home Department,
Bombay Castle, July 1948.

Bombay Civil Courts Act, 1869.

No 2098/5. In exercise of the powers conferred by sections 21 and 23 of the Bombay Civil Courts Act, 1869 (XIV of 1869), and in supersession of Government Notification, Home Department, No.2098/5, dated the 20th June 1948, the Government of Bombay is pleased to direct that there shall be a Civil Judge (Senior Division) for the Civil Court at Hubli and the Civil Judge (Junior Division) at Hubli shall be the Joint Civil Judge (Junior Division) at Hubli.

By order of the Governor of Bombay,

Secretary to Government.

4-Cs.

M.V.V.
25/5.

NOTIFICATION.

Home Department,

Bombay Castle, .1948.

Bombay Civil Courts Act, 1869.

No. - In exercise of the powers conferred by section 22A of the Bombay Civil Courts Act, 1869 (Bom. XIV of 1869), and in modification of Government Notification in the Home Department, No.9561/4, dated the 19th April 1947, the Government of Bombay is pleased/hereto annexed, at present included in the local limits of the ordinary jurisdiction of the Civil Judge (Junior Division), Hanebennur, shall, with effect from , be excluded therefrom and be included in the local limits of the ordinary jurisdiction of the Civil Judge (Junior Division), Haveri. Schedule to direct that the villages specified in the Shedule

SCHEDULE.

(Here insert A-A on page 31)

By order of the Governor of Bombay

Secretary to Government.

4-Cs.

M.V.V.
25/5.

Legal Department.

A revised draft notification is sent herewith.

Sd/-
16/9.

Additional Secretary to Government.

U.R. to H.D. No.8852, dated the 18th September 1948.

M.V.V.
25/5.
(4-Cs.)

Legal Department.

The three draft notifications at pages 97-99 ante, as amended, are in order.

Sd/-
22/12.

Additional Secretary to Government.

U.E. to H.D. No.12219, dated the 23rd December 1948.

4-Cs.

H.V.V.
25/5.

NOTIFICATION.

Home Department,
Bombay Castle, 1948.

Bombay Civil Courts Act, 1869.

No.4543/5. In exercise of the powers conferred by sections 3 and 4 of the Bombay Civil Courts Act,1869 (XIV of 1869), and in supersession of all previous orders on the subject, the Government of Bombay is pleased to direct that with effect from the .... 1948, the judicial district of Surat shall consist of the two revenue districts of Surat and Dangs and shall have/for its Sadr Surat station.

By order of the Governor of Bombay,

Secretary to Government.

II

Bombay Civil Courts Act, 1869.

No.4543/5-(II). In exercise of the powers conferred by sections 21,22A and 23 of the Bombay Civil Courts Act, 1869 (XIV of 1869), the Government of Bombay is pleased to direct that with effect from the 1948,

(1) there shall be a Civil Court Sub-ordinate to the District Court of Surat at Ahwa with jurisdiction over the whole revenue district of Dangs;

(2) the local limits of the ordinary jurisdiction of the Civil Judge (Junior Division), Ahwa, shall extend to the revenue district of Dangs; and

(3) the Civil Judge (Junior Division), Ahwa, shall hold his court at Ahwa.

By order of the Governor of Bombay,

Secretary to Government.

L-Cs.
M.V.V.
25/5.

Notification.

III Home Department,
Bombay Castle, 1943.

Code of Criminal Procedure, 1898.

No.4543/5(III). In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (V of 1898), the Government of Bombay is pleased to appoint the Civil Judge (Junior Division) Thana, to be a Magistrate of the First Class in the District of Dangs.

By order of the Governor of Bombay,

Secretary to the Government of Bombay,
Home Department.

4- Gs.
M.V.V.
25/5.